

Egyptian Regional Human Rights Authority
Meeting Minutes
January 29, 2015

The regular meeting of the Human Rights Authority (HRA) was held at Union County Counseling, 202 South Street, Anna, IL. Vice-Chairperson Mary McMahan called the meeting to order at 5:09 p.m. and read the confidentiality statement. A quorum was present.

Members Present: Mary McMahan, Sue Barfield, Pam O'Connor, Ginger McBride, Paul Jones and Jim Livesay

Members Absent: Clarence Russell, Al Farmer and Rebecca Lewey

Staff Present: Kim Conway

Guests: Craig Ward from Paradigm Medical

Minutes: Ginger McBride made a motion to approve the November 18, 2014 meeting minutes. Sue Barfield seconded and it carried.

Communications: Kim Conway shared a memo from Illinois Coalition Against Sexual Assault reminding everyone that mandated reporters are to report abuse and neglect of adults with disabilities living in the community to the Illinois Department on Aging who now investigates instead of the Office of Inspector General. Kim Conway also shared that Jeff Cripps, Human Rights Committee Chairman at Chester Mental Health, has taken a new position and the new contact for Chester Mental Health cases will now be Joe Harper who is the new Chairman. Paul Jones has now been approved to participate in Chester Mental Health cases due to the length of time since retiring from there. Kim Conway spoke with Chester Mental Health administration, Teresa Parks and each board member who all approved his participation. Kim Conway also shared the links to the new website for Guardianship and Advocacy Commission as well as the Human Rights Authority secure site. Finally, an update on the Community Human Rights Authority was provided. The agency commissioners have not had a quorum at the last two meetings so they have not been able to vote on whether or not to approve it as part of the Commission.

Ratifications:

15-110-9008 Shawnee Community College – This case was an emergency case opening with votes from Clarence, Sue and Paul on 10/15/14. Ratification of case acceptance was tabled until the next meeting when a quorum without a conflict of interest is present. Ginger McBride, Pam O'Conner, Mary McMahan and Rebecca Lewey all have a conflict of interest with this case and must abstain from voting therefore case opening votes must be obtained from Al Farmer and Jim Livesay.

New Complaints:

15-110-9011 State Operated Mental Health Facility– Alleges the facility inappropriately restricted a patient by placing him on unit restriction for over 4 months due to a razor blade being in an envelope he received in the mail. The envelope was allegedly already opened before it came to the patient and had tape on the envelope. When the patient brings this up in the TPR meetings, the team just changes the subject and do not address when the restriction will be lifted.

The second allegation is that the facility failed to protect a patient from harm. The patient was moved to another unit with a peer who had allegedly attacked this patient 8 times prior to the move. A staff person allegedly held the patient while this peer hit him. An OIG complaint was filed and 2 staff members allegedly told the patient that if he didn't report staff abuse he would be able to get out of the facility. The final allegation is inadequate care due to a nurse allegedly not letting the patient use his rescue inhaler. Allegedly stating that he did not look like he needed it. Sue Barfield made a motion to accept the complaint for investigation, Pam O'Connor seconded and it carried.

15-110-9012 Community Service Provider Agency– Alleges that the agency failed to provide respite services for a child with a disability even though funding has been approved for 2 years. The complainant stated that the agency had a respite worker assigned who unexpectedly quit in August, 2013 without informing the parents and the agency allegedly did not inform the parents ahead of time either. Since then, the agency has only sent older women to provide the respite care which is for a 5 year old autistic, nonverbal child who is larger than normal for his age and the workers aren't able to properly care for him due to not being able to lift that much weight. Currently the child only attends early education (Pre-K) 2 hours a day 2 days per week. His date of birth fell to where he doesn't qualify for Kindergarten until next year. The complainant also alleged that the agency is uncooperative by not processing 3-5 different applications and delaying the process. The current funding will expire in June, 2015 and the complainant felt that they were "stalling" until funding ran out. Pam O'Connor made a motion to accept the complaint for investigation, Ginger McBride seconded and it carried.

15-110-9013 State Operated Mental Health Facility– Alleges that staff are inappropriately restricting a patient's rights by not allowing him to have a pencil unless he is in staff's presence. Allegedly, there is nothing in the treatment plan or any behaviors that would warrant this. Also, staff allegedly searched this patient's room nightly for 3 weeks due to finding a piece of candy in his desk drawer which was allegedly put there because the patient is a diabetic and there had been no orange juice on the unit and he tends to "bottom out." A second allegation is that the patient is not being served in the least restrictive environment. Allegedly, the patient was found not guilty by reason of insanity (NGRI) but the judge authorized a conditional release and the therapist was helping him find placement in the community so the patient signed himself in voluntary but the placement didn't happen. The final allegation is inadequate medication treatment. Allegedly the patient was in a car accident in March before admission, and the facility would not let him see a doctor for back and shoulder issues and also has severe diabetes and "bottoms out" which is going under treated. Sue Barfield made a motion to accept the complaint for investigation, Pam O'Connor seconded and it carried.

15-110-9014 Community Hospital – alleges that a person with a disability was inappropriately admitted to a state operated mental health facility after an evaluation was completed by the hospital. The complainant would like us to look at whether or not proper procedures were followed for admission and also if the patient is being served in the least restrictive environment. Sue Barfield made a motion to accept the complaint for investigation, Pam O'Connor seconded and it carried.

Other New Business: Guest, Craig Ward from Paradigm Medical, presented to the board information regarding genetic testing for medication effectiveness.

Unfinished Business: A motion was made by Pam O'Conner to enter closed session at 6:32 p.m. Ginger McBride seconded and it carried. The following summary of items was discussed in closed session: Case progress was reviewed for cases # 15-110-9002, 15-110-9003, 15-110-9004, 15-110-9006, 15-110-9008, 15-110-9009, 15-110-9010, 13-110-9039, 14-110-9020, 15-110-9001, 15-110-9005 and 15-110-9007. Draft reports were reviewed for cases # 14-110-9015, 14-110-9017, 14-110-9018 and 14-110-9019. Case closures were considered for cases # 14-110-9006, 14-110-9011, 14-110-9012 and 14-110-9013. Jim Livesay made a motion to return to open session at 8:46 p.m. having taken no action in closed session, Sue Barfield seconded and it carried.

Case Progress Reports:

15-110-9002 Choate Mental Health and Developmental Center – The second site visit was completed in December. Charts were reviewed and security staff were interviewed. The case is ready for report.

15-110-9003 Lawrence Correctional - The site investigation was completed September 17th. The case is ready for report.

15-110-9004 Wabash County Jail – The site investigation was completed November 13th. The case is ready for report, however since 15-110-9006 is regarding the same incident, the HRA will wait to do the report until that investigation is completed.

15-110-9006 Department of Human Services (DHS) – The telephone conference with DHS was completed 1/29/15. The HRA requested additional information to be provided. The case is still under investigation.

15-110-9008 Shawnee Community College – Ginger McBride, Mary McMahan and Pam O'Conner left the meeting during the discussion of this case as they have a conflict of interest and returned once the discussion had concluded. The interviews have been completed at Shawnee College and at the community mental health agency that completed the mental health examination. There are still a few others that the HRA needs to speak with before completing the investigation. The case is still under investigation.

15-110-9009 Williamson County Special Education – Jim Livesay left the meeting during the discussion of this case due to a conflict of interest and returned once the discussion had concluded. The interviews at the agency were completed and the chart was reviewed. The case is still under investigation.

15-110-9010 Crab Orchard School District - Jim Livesay left the meeting during the discussion of this case due to a conflict of interest and returned once the discussion had concluded. The interviews at the school were completed. The case is still under investigation.

13-110-9039 - Chester Mental Health –Kim Conway checked with the OIG on the status of their investigation regarding this same recipient and incident. They expected the report would be done by the end of January, 2015 but it is not yet completed. The HRA may need to review the outcome of the outside investigation before concluding the case since the allegation involves staff failing to prevent injury that resulted in the OIG investigation being opened. The case is still under investigation.

14-110-9020 Chester Mental Health – Additional information requested by the HRA is not tracked by Chester Mental Health and cannot be produced. The investigation is complete. The case is ready for report.

15-110-9001 Chester Mental Health – The case is ready for report.

15-110-9005 Chester Mental Health – The chart review was completed but before requested information could be scanned to the HRA, the post it notes had been removed marking what needed to be copied. Another chart review needs to be completed. The case is still under investigation.

15-110-9007 Chester Mental Health – The records were received from the state operated facility that the patient had transferred to. Once reviewed, this case is ready for report.

Report of Findings:

14-110-9015 Choate Mental Health – The draft report was reviewed, no changes were suggested. Sue Barfield made a motion to approve the draft report as stated, Ginger McBride seconded and it carried.

14-110-9017 Chester Mental Health – The draft report was still in the final review stages on the date of the meeting therefore Ginger McBride made a motion to table draft report approval until final review could be completed, Paul Jones seconded and it carried.

14-110-9018 Chester Mental Health – The draft report was reviewed, no changes were suggested. Sue Barfield made a motion to approve the draft report as stated, Ginger McBride seconded and it carried.

14-110-9019 Chester Mental Health – The draft report was reviewed, no changes were suggested. Ginger McBride made a motion to approve the draft report as stated, Paul Jones seconded and it carried.

Case Closures:

14-110-9006 Chester Mental Health – Chester Mental Health requested an extension of time to respond to the HRA's recommendations. Paul Jones made a motion to table case closure to allow additional time to respond, Jim Livesay seconded and it carried.

14-110-9011 Chester Mental Health – The response was reviewed, no additional concerns were raised. Ginger McBride made a motion to accept the response, close the case and make the report a part of the public record, Paul Jones seconded and it carried.

14-110-9012 Chester Mental Health – The response was reviewed, no additional concerns were raised. Paul Jones made a motion to accept the response, close the case and make the report a part of the public record, Sue Barfield seconded and it carried.

14-110-9013 Chester Mental Health Chester Mental Health requested an extension of time to respond to the HRA's recommendations. Sue Barfield made a motion to table case closure to allow additional time to respond, Ginger McBride seconded and it carried.

Other Unfinished Business:

The next meeting is scheduled for 5:00 p.m. on March 26, 2015 at Shawnee Community College Main Campus, 8364 Shawnee College Road, Ullin, IL.

Jim Livesay made a motion to adjourn the meeting at 8:46 p.m. Sue Barfield seconded and it carried.

Respectfully Submitted,
Pam O'Connor, Secretary